

REMARKS

Claims 1-6 and 8-12 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-4 and 9-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takizawa et al (U.S. Pat. No. 6,357,849). This rejection is respectfully traversed.

Claim 1 calls for a device manufacturing apparatus including "a controller for executing a detection operation by a detector *during a carrying operation of a substrate*" (emphasis added).

With the above claimed feature, the device manufacturing apparatus called for in claim 1 enables the achievement of an object of the present invention (i.e., "an object of providing a device manufacturing apparatus and device manufacturing method *which can perform detection of non-performing nozzles without a decrease in throughput*").

However, US Patent No. 6,357,849 (hereinafter "Takizawa") neither discloses nor suggests the above-mentioned claimed feature. Namely, Takizawa neither discloses nor suggests performing a detecting operation for a clogged nozzle during a carrying operation (replacing operation) of a printing paper P.

In fact, it should be noted that the apparatus disclosed in Takizawa concerns a printing apparatus and *not* a device manufacturing apparatus. Therefore, the supplying operation of the printing paper P *should be stopped* while performing the detecting

operation for a clogged nozzle since any wasting of the printing paper P should be avoided. Therefore, since the apparatus cannot do anything for the printing paper P while performing the detecting operation for a clogged nozzle, the *throughput thereof cannot be increased*.

Accordingly, the device manufacturing apparatus called for in claim 1 should be allowable since it calls for the above-mentioned feature which is not disclosed nor suggested in Takizawa and results in the above-mentioned advantageous effect.

In addition, claims 2 to 4, 6, and 9 should also be allowable due to their dependency on allowable claim 1.

Claim 10 calls for a device manufacturing method including "a detection step of detecting a discharge condition *during a carrying step*".

However, as explained above, Takizawa neither discloses nor suggests the above-mentioned claimed feature, and therefore cannot achieve the object of the present invention.

Accordingly, the device manufacturing method according to claim 10 of the present invention should be allowable since it includes the above mentioned feature which is not disclosed nor suggested in Takizawa and results in the above-mentioned advantageous effect.

In addition, claims 11 and 12 should also be allowable due to their dependency on allowable claim 10.

REJECTION UNDER 35 U.S.C. § 103

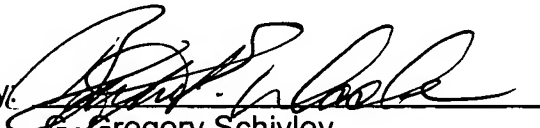
Claims 5 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takizawa et al (U.S. Pat. No. 6,357,849) in view of Bruch et al (U.S. Pat. No. 6,814,422). This rejection is respectfully traversed. Claims 5 and 8 should be allowable due to their dependency on allowable claim 1.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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